

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MARC ELLIOT,

Plaintiff,

v.

HBO HOME ENTERTAINMENT CORP., a
Delaware Corporation; JEHANE
NOUJAIME, an individual; KARIM AMER,
an individual; THE OTHERS, LLC, a Florida
limited liability company; THE OTHERS
LICENSING CORP., a Florida corporation;
THE SQUARE, LLC, a New York limited
liability company; ISABELLA
CONSTANTINO, an individual; JOHN
DOES 1–10,

Defendants.

Case No. 24-cv-7879-JPC-RFT

**DECLARATION OF ELIZABETH
SEIDLIN-BERNSTEIN IN SUPPORT
OF MOTION OF JOSEPH E.
MARTINEAU AND KOLTEN C.
ELLIS TO WITHDRAW AS
COUNSEL OF RECORD**

I, Elizabeth Seidlin-Bernstein, pursuant to 28 U.S.C. § 1746, do hereby declare as follows:

1. I am of counsel with Ballard Spahr LLP, and counsel of record for Defendants Home Box Office, Inc. (incorrectly sued as “HBO Home Entertainment Corp.”); Jehane Noujaim (incorrectly sued as “Jehane Noujaime”); Karim Amer; The Others Licensing Corp.; The Others, LLC; The Square, LLC; and Isabella Constantino (“Defendants”) in this case.

2. I submit this declaration in support of the motion by Joseph E. Martineau and Kolten C. Ellis of the law firm Lewis Rice LLC (“Movants”) to be withdrawn as counsel of record in this case for Defendants.

3. This case began as a Missouri state court action, was removed to the U.S. District Court for the Eastern District of Missouri, and was then transferred to the Southern District of New York on October 17, 2024. *See* ECF No. 43.

4. When the case was transferred, Movants were entered onto the docket as counsel of record for Defendants.

5. Messrs. Martineau and Ellis are not admitted to practice in this Court, did not move to appear *pro hac vice* in this Court, and do not intend to represent Defendants in this Court.

6. Elizabeth Seidlin-Bernstein of the law firm Ballard Spahr LLP is, and will remain, counsel of record for Defendants in this matter.

7. Movants are not asserting a retaining or charging lien.

8. These withdrawals will not require the extension of any existing deadline in this matter.

9. Defendants consent to this withdrawal.

10. A copy of this motion will be served on Defendants. It will also be served on all counsel of record via ECF.

11. Accordingly, Movants respectfully request that the Court enter an order withdrawing them as counsel of record for Defendants.

12. Per guidance from the clerk's office, because Movants do not have credentials for efilings in this Court, this declaration is being filed on their behalf by the undersigned.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 6th day of December, 2024.

By: /s/ Elizabeth Seidlin-Bernstein
Elizabeth Seidlin-Bersntein